THE EXAMINER.

No. 274 SUNDAY, MARCH 28, 1813.

THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few. SWIFT.

No. 265.

MR. WHITBREAD AND LORD ELLENBOROUGH.

THERE appears, at length, some reason for hoping that the public will be relieved from their annoyance and anxiety on the subject that has universally occupied them An end is said to have been put to the new enquiries; and the death of her Royal Highness the Duchess of BRUNSWICK happening to occur at such a period, advantage seems to have been taken of it for allowing the PRINCESS to see her daughter again. We shall not stop to remark upon the particular feelings evinced by the nature and the time of these proceedings, to notice what may be suggested by the cessation of the enquiries, or to calculate how much of the graceful or the magnanimous may have been lost by waiting for the opportunity just mentioned. Let but the good be obtained,—let but the public feeling and voice be shewn to have had their proper effect,—and on this subject at least we are satisfied.

If we are still then waiting for a final and public termination of this unhappy business, we are waiting, comparatively speaking, with placid sensations; and we should have been heartily glad, if for one whole week, we could have had them undisturbed. But as long as the injuries done to the PRINCESS of WALES remain matters of discussion, so long does it appear that all those who have been instrumental in contributing to them, in whatever manner, should have uncomfortable feelings excited, and wreak a part of their annoyance upon us by making us involuntary spectators. First, my Lord CASTLEREAGH puts us all into pain by his writhing and shuffling about under uneasy recollections;—then my Lord LIVERPOOL gets a trimming for *his* time-serving and faithlessness, and makes us blush for him up to the ears;—then my Lady DOUGLAS fairly shocks and disgusts us by shewing to what indecent lengths a jealous and mortified woman can go, and in what a wretched state of passion she must have been when she wrote her statement;—then my Lord MOIRA (of whom we have struggled to think well as long as we could) feels himself cutting an awkward figure between a surgeon and an apothecary, and does not know what to do with his chivalry;—and at last, my Lord ELLENBOROUGH, finding his mode of examination called into question, and being Lord Chief Justice, a Peer, and a man, in short, to set a proper example of sensibility, falls into such a passion in the very midst of the House of Lords, that nothing less than an apoplexy seems as if it would be the consequence, and every body cannot help groaning for him.

We shall say the less of what gave rise to this afflicting display, because the opinions of Mr. WHITBREAD on the proper nature of evidence are,—we will not say defended,—but in our minds most undeniably established, by the letter that follows this article. It will be recollected, that in adverting to the published evidence of Mrs. LISLE (a most respectable Lady, it appears, and of whom, in our former ignorance of the proceedings, we have to beg pardon for confounding with the ordinary persons examined), Mr. WHITBREAD produced a paper in the House, purporting to be a memorandum of the evidence written by herself, and lamented that, by the omission of the questions in the published statement, a much more unfavourable air had been given to the cause of the PRINCESS than appeared upon the face of the memorandum,—several of the answers depending for their strength or weakness upon the nature of the questions, and several of the questions appearing to him to have been of a leading description not altogether warrantable. These remarks had, as it happened, been anticipated in some measure by the old ministerial and *legal* advocates of her Royal Highness, and been put forth in a much more unceremonious manner,—accusing the Commissioners of 'entertaining the consideration of unnecessary matters, of putting uncandid and unfair questions, and in fact, of absolute want of justice. But this circumstance will not exonerate Mr. WHITBREAD, if wrong;—we only mention it in passing, to shew what has been said on the subject by lawyers and confidential servants, as well as by advocates unprofessional and unplaced. To the impartial reader, we think, there will be no doubt as to what is desirable in the publication of evidence, whatever may or may not have been the fairness of those who conducted it. To mention two or three instances. In the published deposition of this lady, she gives an opinion as to the good looks of Mr. CHESTER, and this, as it follows regularly on in the context, might or might not appear to the reader as given voluntarily;—by referring to the questions, however, we see it was produced directly in answer to them. It is the same with her observations respecting her Royal Highness's mode of behaviour to Captain MANBY,—a behaviour described, in direct answer to the Commissioners, as "flirting;" but for all that we should know, if ignorant of the questions, it might have been mentioned of her own accord. Mrs. LISLE proceeds to say, "I should not have thought any married woman would have behaved properly who should have behaved as her Royal Highness did to Captain MANBY."—Now this, though far from amounting to an imputation of criminality, has a very severe air with it, if regarded as coming voluntarily from the speaker's mouth; but when we find that it is in answer to a question put to her as a mother, and hear what Mr. WHITBREAD further informs

us, what a character of consideratenes and diminished reproach is conveyed with it!—"*My daughter*," adds Mrs Lisle, in her memorandum, "*lived well with her husband.*"

The Lord Chief Justice, however, could not see the deficiency in this light;—the idea of supposing him capable of any thing in the shape of an unfair bias or conduct appeared to his Lordship to be warranted by no part of his judicial behaviour in any one period of his life, early or late, in examining or in charging; and the opinion respecting published evidence he thought as "foolish," as "stupid," and as "absurd," as the other, together with the paper that gave rise to it, was "unfounded," "malicious," "calumnious," "impudent," "lying," and "*false as hell.*" He therefore took notice of them accordingly in the House of Lords, and *in these very terms*, striking all those about him dumb with astonishment, and leaving an impression upon the public mind, which unless his Lordship shall think fit to make some amends either in acknowledgment or in future behaviour, will never cease to fill them with pain and disgust as long as they see his name connected with the judicial office.

Nothing could exceed the propriety with which Mr. Whitbread took notice of this extraordinary ebullition on the succeeding night. He had procured, in the mean time, an authentication of the memorandum from Mrs. Lisle, which was thus proved to be no fabrication; and having settled this fact, he condescended to say nothing more of Lord Ellenborough's attack than that he had long supposed such language to have been banished from civilized society, and if otherwise, he hoped it was confined to the circle in which his Lordship moved. The appeal to the common sense, decency, and feeling, of the House was complete, for in every thing it was the reverse of his Lordship;—Mr. Whitbread's dignity remained unsoiled and untouched by the gross hands that were attempted to be laid upon it; and, at what we hope to be the close of this business, he remains just what he was at the beginning of it—the unshaken and disinterested champion of right.

Of this Gentleman's conduct on the occasion, we shall say no more, except that the only part of it, which appears to us to be at all objectionable, was his not having ascertained in the first instance the authenticity of the memorandum. In every thing else we go heartily and proudly along with him. With regard to the Lord Chief Justice, we wait till next week to see whether he still has any *real* notions of dignity, and can be induced by them to make any acknowledgement, at least on the score of his language. If he does, we shall do justice to his proper spirit in next Sunday's *Examiner*;—if not, we shall do just as much to his improper one, and endeavour to supply his Lordship with a few artificial blushes.

Defence of Mr. Whitbread, *by a Volunteer unknown, on the occasion of the proffer made of a Statement written by Mrs* Lisle, *respecting certain Questions as having been put to that Lady, by the Four Lords Commissioners, June 7, 1806; such Questions purporting to be of the number of those, by which her Testimony was on that day extracted, in the course of the Inquiry made by their Lordships, in relation to the Princess of* Wales.

March 25, 1813.

Sir,—For the terms of the accusation I employ in preference those *ascribed to* Lord Ellenborough. After this word of explanation given once for all, in future, to avoid perplexing repetition, I shall say, in the like case, simply *Lord Ellenborough*, and so in the case of every other Honourable Gentleman or Noble Lord. Of his Lordship, and his Lordship's words, I make choice on this occasion, in respect of the circumstance mentioned on this same occasion, by Lord Grenville, viz.:—"That among his various arduous functions, being more than any other individual engaged in taking evidence from the mouth of the witness, with almost proverbial accuracy, in the absence of Sir Samuel Romilly, it was settled, that on the day in question, it was the Lord Chief Justice of England that should take the examinations." In his Lordship's speech, the part in which, to an accusation of Mr. Whitbread, or whosoever else it may concern, is added a defence of the course taken by his Lordship, which stands in these words. "Folly says again, that the testimony of the witness should have been recorded *in question and answer*. When, I ask, was it ever done? Is there a single instance of the kind: will the most grey-headed judicial character in the country shew a single example of the kind? It is impossible; and undoubtedly the most convenient mode was for the witness to see his evidence in one unbroken narrative, without the interruption of questions, composed of words which he never employed: it is the language of the *witness*, and not of *the interrogator*, that is required."

With Mr. Whitbread, Sir, or whoever else, were the person or persons meant, it is my misfortune to be a partaker in this "folly." By way of defence or apology for us both, or for us all, I venture to state in the first place, two propositions. *First*, That on every occasion whatsoever, in which testimony, extracted *viva voce* by questions or interrogatories also delivered *viva voce*, is put upon record—on *every* occasion whatsoever, and the *particular* occasion here in question consequently included—it is, in respect of the interests of truth and justice most desirable, that along with the very terms of the *answers*, the very terms of the *questions* should be put upon the record, and that this evidence should thus be recorded in question and answer.

Secondly, That, even in the state of the practice, as it actually stands, taking it in all its branches, respecting the mode of recording evidence, there exists in the way of precedent and analogy, more to be found that operates in favour of this supposed *unfounded* practice, than in favour of the course that was actually pursued; at any rate, that if so it had been, that the mode of recording in question and answer had presented itself to his Lordship's mind, and presented itself as being the mode most desirable in respect of the interests of truth and justice, there was nothing in the state of practice that could have constituted a sufficient

reason for the resorting to any other mode. Of the first of these two propositions, the proof is destined for the present letter; of the other, for a succeeding one.

Recordation is partly itself a mode of publicity, partly a step to, or instrument of, ulterior and more extensive publicity.

Of *publicity*, as applied to the collection of evidence—the operation and its result included—there are two main uses. One—the more *particular*—is that which concerns the conduct of the *witness*: the other—the more *general* and *extensive*—that which concerns the conduct of the *Judge*.

In the case of the witness, the object is, or ought to be, in the first place, that the evidence, as delivered by the witness, be as *correct* and *complete* as possible, consistently with the exclusion of preponderant inconvenience: in the next place, that the conception conveyed by it, *i. e.* by the expression given to it,—the conception to which permanency and publicity is thus given,—should itself, in like manner, be as correct and complete as possible.

In the case of the *Judge*—including the person or persons, be they who they may, by whom or under whose authority questions employed in the extraction of the testimony are propounded—in the case of the Judge, an *ulterior* object is or ought to be,—the securing the public against transgression,—transgression in every shape in which, on the occasion in question, it is capable of having place in the person of a man invested with that authority: transgression, viz. in the first place, in every shape in which it is capable of having in any degree the effect of diminishing the degree of material correctness and compleatness, either on the part of the evidence itself, or on the part of the conception formed of it, at any time by any person, in any way interested in it.

Of such transgression, take for example—in the extraction of the evidence, the putting or suffering mendacity-suggesting, or assisting, or ensnaring, or perplexing and confounding, questions;—mendacity-suggesting, of which tendency, where they are improper, may be the sort of questions called *leading* questions:—in the next place, in every shape in which such transgression may have the effect of producing mischief in any *other* shape; for example, as in the case of *browbeating*, terror or humiliation in the breast of the witness, independently of any effect which by that same means may be produced to the prejudice of correctness or compleatness on the part of his evidence.

Of these two objects, I state without difficulty that which regards the conduct of the Judge, as the superior and more important one. Why?—Because in that which regards the conduct of the witness alone, the interest of the public is concerned no otherwise than in respect of that *one* suit or cause? whereas, in the object which regards the conduct of the *Judge*, the interest of the public is concerned, in respect of all such causes as are destined to come under his cognizance.

These principles premised, I proceed, Sir, to state the misfortune I labour under of having formed a notion that to all these several purposes, the mode of "*recording by question and answer*," is, in itself, (relation had to the interests of the public in respect of truth and justice), preferable to any which *can be*, and therefore to any which *has been*, substituted to it: and in particular, that of all such *questions* as are put, or *addresses* in any other form made, to the witness, by the Judge, or with the allowance of the Judge, the tenor ought to be minuted down and preserved with the same scrupulous exactness as the answers themselves. By the answers, the testimony of the witness, as delivered by the witness, is expressed: but by the questions, not only is that same testimony explained in a great degree in respect of its character, after having been predetermined by them in great measure in substance as well as in form; but the conduct, correct or otherwise, maintained on that same occasion by the Judge, is indicated.

That this mode of giving expression to the *testimony* is at least more natural than any other, will not be matter of doubt. It is the mode pursued on the occasion of all those enquiries, of the reports of which, under the name of *trials*—I mean trials at common law—we have the good fortune to possess so ample a store.—*Question* 1. Do you know Mr. Adams? *Answer*, Yes.—*Question* 2. Do you know where he lives? *Answer*, Yes.—*Question* 3. Where is it then? *Answer*, In Adam-street.—In this strain may it happen to the train of evidence to have been carried on to any given length; though, at the same time, to any given length, so it may be, that a continued unbroken narrative took the place of it. In this *unbroken* mode, the words of the witness are, in any proportion, the more numerous; the words of the interrogator few: in the *broken* mode, if such it be to be called, the words of the interrogator may be, in a considerable proportion, the more numerous: the words of the witness in the corresponding proportion, few. In the form above exemplified,—than which none surely can be a more natural or more common one,—on the part of the witness, in answer to each of the two first questions, we have but a single word, and that a monosyllable.

No, says Lord Ellenborough. For "undoubtedly the most convenient mode was, for the witness to see his evidence in one unbroken narrative, without the interruption of questions, composed of words which he never employed. It is the language (concludes his Lordship) of the witness, and *not* of the interrogator, that is required." No, my Lord, with submission, the language of the witness, *together with* that of the interrogator, *that* is the language which, for the interest of the public in respect of truth and justice, if such be your Lordship's meaning, is *required*.

In the first place, if the form and language given to that which is called *the evidence*, and which, on all occasions, is to be accepted as and for the evidence, is, in all cases, and throughout the whole tenor of it, to be the form and language of "*an unbroken narrative*," then so it is, that in many cases, and to an indefinite extent, it will be—not the evidence, not the testimony itself, considered as consisting of what is delivered by the witness alone, or considered as consisting of *that*, with the addition of the questions by which it was extracted, but a sort of *translation* made of it;—another discourse, substituted in the room of it. That no such translation—that no such substitution should have had place—is a state of things, which in a multitude of instances, and to an indefinite extent, consistently with the evidence being any thing better than a mass of words without meaning, I mean if the words of the questions are, as insisted on, omitted out of the record, is absolutely impossible.

"Yes, yes;" in the example above brought to view, says "*the language of the witness*," when separated from "*the*

language of the interrogator;" and so in the strain of Yes, yes, yes; or in the strain of No, no, no; may it happen to it to run on for any length of way.

In the form in which it was originally extracted, as far as it happens to the evidence to run on in any such strain, so far then, to render it of any use, must a sort of *translation* be *substituted* to it.

Now, Sir, in this substitution is there not considerable inconvenience? If there be not, the words which have here been employed, in the endeavour to shew that of the two very distinguishable uses of recorded evidence, that which regards the conduct of the Judge is the most important, have been very unsuccessfully employed.

Is there any considerable convenience? Not any.—O yes, says his Lordship:—to the witness there is this "*convenience*," viz. that of "seeing his evidence in one unbroken narrative."—Pardon me, my Lord;—in the sight thus given to him, inconvenience to him, I think I see some: convenience to him, or any body, I can see none.

The inconvenience I see is this:—In the individual case here in question, "the testimony," to use his Lordship's words,—"the testimony at its termination was read over to the witness; the witness herself read and subscribed her name to the concluding sheet, as she had previously affixed her initials to that on which the evidence was commenced." Under the mode here in question (the *unbroken* mode) this (you will observe, Sir) is given as an example of the most perfect practice. In so far as that mode is pursued, as such, I myself regard it and accept this practice: and in general, where this is the mode employed, I am inclined to think the deviations from this practice, if any, are not considerable. But now, Sir, as to the convenience to the witness, (for this is the consideration now before us,—the only consideration too, that appears to have been employed by his Lordship in the way of argument)—where is it? Every now and then in the delivery of the testimony, from the *continuous* or *unbroken* mode to the broken or dialogue mode, (and in particular where there is any thing in the way of cross-examination, or frequently-recurring demand for explanation, or particularization) recurrence cannot but have place. But, in so far as the examination bears the shape of *the dialogue mode*, the "*language of the witness*" for the reason already stated, can not be entered upon the record *by itself*—entered, to the exclusion of the "*language of the interrogator*," by which it was extracted; since therefore the questions of the interrogator are at any rate,—as in his Lordship's judgment they ought to be omitted, then it is, that to render the statement intelligible, the *sort of translation* above mentioned,—the translation of that part which is in the dialogue mode, into his Lordship's "*unbroken*" mode—must take place. But, of such translation what is the effect in regard to the convenience of the witness?—An additional task is imposed upon him, over and above every task which he could have had to go through had the original form—the *dialogue form*—been preserved. By this additional task, I mean—the task of comparing with the original this *translation*, for the purpose of ascertaining whether his meaning be, with equal correctness and completeness, expressed by it.

As to the *dialogue* form, *broken* as it is and may be said to be, from this *solution of continuity*, as a medical man [illegible], in what shape any inconvenience can be produced to the witness, is more than I can conceive. The answer he beholds is the answer which he himself has just been giving; the *question* he beholds is that proposition, which, to his own conception at least, he must have understood, or he could not have given the answer to it which he has just been giving. But a few minutes before, he not only understood them *both*, but understood them *both together*: what is there that should hinder him from understanding these same propositions both together, equally well, for the second time? The first time, while framing his answers, he was forced to catch the questions flying: the second time, the questions with his answers, lying before him both together in writing, the consequence is—that, should difficulty in any shape present itself, he has them before him, close together, for any length of time he finds requisite. You have, in your time, Mr. Editor, been at a play. What you heard there was, all of it, in the *dialogue* form—in this "*broken*" form. Broken as it was, did you experience any difficulty in the comprehension of it, any more than if it had been, all of it, in one continued narrative? And yet, what, in that case, you found yourself able to comprehend with so little difficulty, was not, any part of it, of your own composition, as, if you were examined as a witness, what you would have to say would be? No: it was all of it of another man's—the poet's!

Such then, Sir, if the view above given of the matter be correct, such is, with reference to the interests of truth and justice, the superiority of the mode of recordation, which in his Lordship's judgment is not fit to be employed, and which accordingly he did not employ, to that which in his Lordship's judgment is the only one fit to be employed, and with the concurrence of his noble colleagues, to whom I mean not to impute blame in any shape, he did employ accordingly. Such, in my view of the matter, is that superiority, even in the case of the most ordinary subject and mode of inquiry. The inquiry here in question was, in respect of the *mode* of it,—I mean the sort of tribunal by which it was carried on,—as well as in respect of the subject of it, a very extraordinary inquiry. By any circumstance to which it owes this its character of an extraordinary one, was the demand for the mode of *recordation*, which I have been venturing to advocate in the character of a preferable one, in any degree diminished? I answer, No: but in a considerable degree increased. Of this persuasion, the grounds, I foresee, must unavoidably be reserved for a succeeding letter: in the mean time, to any person who will suffer himself to consider the matter in the point of view here indicated, they can hardly remain altogether a secret.

Much in the same point of view does the subject appear to have been considered by *three other persons*, who appear to have participated with one another in the desire, that certain of the questions which Lord Ellenborough and his Noble Colleagues (with views and intentions, to which, once more, I do not impute moral blame) have kept in concealment, should be brought to light. I mean Mrs. Lisle, the Princess, and Mr. Whitbread. In respect of such desire, and the steps taken in consequence, to any of these unwilling actors in this sad drama, does any thing in the shape of blame belong?—I, for my part, can see none.

Observing his evidence cloathed by the sort of translation above spoken of, with the appearance of having come from a very hostile and thence a very forward witness, suppose a witness who with reference to a party

thus charged is not hostile,—suppose him more or less anxious not to be thought such. To clear himself of such anxiety, what possible course can be taken? There is but one: and *that* is—for the information of any person whose mind it is his wish to clear of any such misconception, to deliver in a statement, as correct and complete as it is in his power, of the questions by which such his testimony was extracted.

Now *this*, Sir, as far as the documents before me enable me to judge, appears to be exactly what was done by Mrs. Lisle. Exists there that person to whom the conduct of that Lady in so doing can appear blameable?

With or without just ground, on reading the questions as thus stated to the Princess it appears, (suppose,) that among them are some, which, in the sense in which the epithet *leading*, as attached to the word *question*, conveys the idea of impropriety, are *leading questions*; questions, for example, which, by means of this or that word that has slipped in, have the effect of conveying the idea of guilt as attached to the conduct of the person who is in view; and yet in such sort as that, especially by a person not prepared by habit to discover, and by his answers remove any such causes of misrepresentation, it shall be found impracticable consistently with truth to avoid producing the effect of it. In any such case, looking out for a person who might at once prove able and willing to lend his help to the purpose of affording redress against this supposed injury, suppose either Mrs. Lisle or the Princess to have communicated the statement in question to a Member of Parliament—for example to Mr. Whitbread—exists there that person, in whose eyes, for so doing, they can, either of them appear blameable?

On perusal of this statement, with or without sufficient grounds, it appears to this Member of Parliament, that, with or without just imputation of blame to any interrogator, by whose questions such answers were extracted, as, with or without incorrectness, in the course approved and employed by Lord Ellenborough, received the sort of translation in question, in the manner above described,—it appears to him that the course so taken has had the effect of conveying a conception more or less incorrect of the conduct of the Princess, and by means of such incorrectness, more or less injurious to her reputation.

The Member of Parliament in question having accordingly done what depended upon him towards making known the supposed corrective statement to Parliament, and by that means to the public at large, upon the face of the matter, as thus stated, exists there that person, in whose eyes he can, for so doing, appear blameable?

Now this, Sir, as far as the documents before me enable me to judge, appears to me to be exactly what was done by Mr. Whitbread.

True it is, that he has been subjected to blame—and, as far as appears, in terms which I cannot think of without regret—at the hands, not only of habitual adversaries, but of intimate friends.—But from what cause?. For want of that more particular, and thence more correct conception of the case, which, by nothing but a closer examination into the nature of it, than till now there has been occasion to make, could have been obtained.

The wish, and as far as they have been employed, the endeavours to bring before the public eye such of the omitted questions as it is supposed would throw upon the conduct of the Princess a light more true as well as favourable than that in which it stands at present, being thus cleared of blame, the persevering in the endeavour to keep them from the public eye, is that a mode of conduct which, in any person, would be free from blame?—This, Sir, is a question to which, considering the unfortunate length of the present letter, no answer, unless it be in a subsequent one, can be attempted by

An Ex-Lawyer.

FOREIGN INTELLIGENCE.

GERMANY.

Hamburgh, March 15.—The French have withdrawn, and we are in expectation that the intercourse with England will be immediately re-established. Bremen has also been evacuated by the enemy.

Heligoland, March 17.—I have just time to inform you that the trade is completely open with the Continent, the French having left the whole range of the opposite coast. In consequence of this situation of things, forty ships have arrived in five days. Two ships of war have gone from hence, to take possession of Cuxhaven.

SPAIN.

Santander, March 1.—We have just learned that Madrid was evacuated by the French on the 12th February, who, according to all appearances, are falling back to the left of the Ebro; and some are of opinion that Joseph's Court will be provisionally established at Vittoria.—Gen. Caffarelli, with his division, has marched for France. Gen. Cambron, with the Gens-d'Armes and Imperial Guards, which were in Bilboa, is likewise marching in the same direction as Caffarelli; Gen. Palombini has replaced General Cambron at Bilboa.

PRUSSIA.

Berlin, March 5.—The Emperor of Russia and the King of Prussia had an interview on the 22d February on the frontiers of Silesia. This city was entered by the Russians yesterday. Frankfort on the Oder has surrendered by capitulation. Saxony is placed under Russian Administration, because the King had not replied to a letter written by the Emperor.

PROVINCIAL INTELLIGENCE.

ASSIZES.

Maidstone, March 19.—THE KING v. HARRISON AND ST. JULIAN.—This case was an indictment instituted by the Hon. Basil Cochrane, against the two defendants, for a conspiracy to extort from him the sum of 10,000*l.*, upon a threat of publicly charging him with having compelled the female defendant, St. Julian, who had lived under his protection, to procure an abortion by means of a vapour bath.—From the evidence adduced, it appeared that there was not the slightest pretence for the imputation that was attempted to be cast upon the prosecutor's conduct.—The Jury, on a short retirement, found both the defendants guilty.—Mr. Serjeant Best then stated, in justice to Mr. Cochrane, that it was never his intention to bring up the unfortunate female defendant for judgment, whatever course he might be disposed to adopt towards the other defendant.

March 20.—KEEPING v. FALLENDEN.—This was an action to recover damages for criminal conversation with the plaintiff's wife.—The plaintiff and defendant were both farmers in the neighbourhood of A——ourne, and the fact was proved by a servant girl of the plaintiff's: but it appeared that the

plaintiff, after he was acquainted with the fact, cohabited with his wife as usual. The CHIEF BARON, therefore, directed the Jury to find the smallest possible damages. They found for the plaintiff—*Damages One Farthing.*

HORSHAM, MARCH 23.—*JOLIFFE v. ARCHER.*—This was an action for false imprisonment against the defendant, who had pleaded in justification, that he was Adjutant of the Sussex Local Militia, and that several men of that regiment were behaving in a mutinous manner, in the Anchor, at Chichester, and because the plaintiff aided them in their mutinous conduct, he carried him to the guard-house.—But as all the witnesses proved, that Joliffe had not at all interfered in the scuffle, and that he was a mere bye-stander, being accidentally present at the house, the Jury found a verdict for the plaintiff—Damages ten pounds.

MARCH 24.—*Richard Saunders* was indicted for assisting Col. P. L. Mollenbeck, and Major G. Holsman, Dutch prisoners of war, to escape from their parole.—Major Holsman, who gave evidence, was indignant at a cross-examination by the Common Serjeant, and muttered, "Vous repondrerez ceci dans une autre place." To which the Common Serjeant replied, "No Gentleman would answer a man who had broke his parole of honour."—The Jury found the prisoner guilty, and the Learned Judge sentenced him to be transported for life.

Simon Johnson was indicted for stabbing John Dyer. The prisoner was a corporal in the 68th regiment, and was on his route from Arundel to Chichester, when he stopped at a public-house, kept by the prosecutor. He came with a private of the same regiment. They called for a glass of beer, and the landlord heard the prisoner call upon the private to say, whether he did not give the fisherman a shilling to ride four miles. The private at first gave no answer; but at length said, "Mr. Johnson, you did not; you only gave him some beer to carry you as far as he was going." The prisoner, on this, grew angry, and gave the private a blow on the face; upon which the persons present took part with the private. The prisoner immediately drew his bayonet, and wantonly knocked an old man out of a chair, and kept flourishing his bayonet. The landlord, fearing some mischief, seized his arms, with a view of pinioning his hands; but not succeeding effectually, the prisoner run the bayonet through the fleshy part of his belly.—The prisoner, in his defence, said he was drunk; and that he was irritated by being called a d—d Irish fellow.—He was found guilty, and sentenced to be hanged.

YORK.—THE KING *v.* JAMES STARKIE.—The defendant was charged with contriving the demolition of a certain mill belonging to Mr. Cartwright, of Rawfolds. The defendant being called upon, did not appear; but one of his bail said that the defendant had been informed that it would not be necessary for him to attend. Mr. PARKE said, the defendant had been ill advised; it was his duty to have appeared personally in Court; but it was not his intention to insist upon his appearance. "If," said Mr. Parke, "the defendant had been tried at the late Special Assize, I should have thought it my duty, in the then state of the county, to have laid evidence before his Lordship and you, on the subject: but in consequence of the present happy and tranquil state of the county, the result of those severe but necessary examples which were made on a late occasion, I have determined to lay no evidence before you, and to consent to the acquittal of the prisoner; and I hope this will be considered as a further proof that Government wish to do nothing oppressive to any of his Majesty's subjects, and that their only anxiety has been to restore tranquillity and good order."—The Jury, of course, acquitted the defendant.

Henry Sutcliffe, miller, a man hitherto of irreproachable character, was found guilty of forging a bond for 1000*l.*, with a view to defraud Messrs. Rhodes, Briggs, and Garnick, bankers at Halifax. *John Senior*, of Alverthorp, was also convicted of defrauding his creditors. Both received sentence of death. Sutcliffe was recommended to mercy by the Jury.

At Northampton Assizes, *Thomas Evans* was convicted of a burglary in the house of R. Dent. It appeared that the wretch, after having robbed the house, violated the person of the wife of the said R. Dent, for which offence he was a second time tried and convicted, and left for execution.

BRISTOL, MARCH 24.—"On Monday, the populace, to the amount of many thousands, went out to meet their champion Hunt, as they call him, who had previously given them intimation that he intended to dine with them on that day at the Talbot, and render them a particular account why he did not succeed in his petition against our sitting Members.—About half past two, he was met at Totterdown-hill, and escorted to our Exchange in a barouche and six, with a band of music, and half a dozen streamers and flags. From the old rostrum, he harangued the populace for about an hour in very violent language; and after proceeding through the principal streets, he dined with his friends, and the evening fortunately concluded peaceably.—Last night, however, seven or eight of his partisans got over the iron-railing in Portland-square, where a statue of our good old King had been erected about two years since by the inhabitants of the parish, and it seems, by throwing a rope round its neck, they precipitated it to the ground, and dashed it in pieces. The crash was tremendous. Many of the inhabitants were instantly drawn to their doors, and one of the miscreants, who was running down an adjoining street, was fortunate secured."

About ten o'clock on Tuesday night, a fire was discovered in the Dock-yard at Sheerness, which for some time raged with considerable violence. Some assistance was, however, promptly procured, and by great exertions it was soon got under. The place in which it broke out was consumed; but we have not heard that any stores were destroyed, nor was any person injured.

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

Monday, March 22.

ENGLISH ROMAN CATHOLICS.

Lord GREY presented a Petition from the English Roman Catholics. His Lordship congratulated the House on the spirit which was prevalent on the subject of the Petition which he then offered. All animosity to its objects had died away; fair discussion was ready to give the boon which was once refused by cowardly prejudice. The Petition asked, in general, for the abolition of *all* disqualifications arising from religious opinion. This was to be considered as a full answer to those who charged the Catholics with wishing to oppress the rights of other sects.—The Petition was received.

PRINCESS OF WALES.

Lord ELLENBOROUGH addressed the House with more than his usual warmth. He said, the circumstance to which he had to allude was connected with the mention of individuals whom his *respect* would not allow him lightly to name. He was aware, that in coming forth to clear himself there might be an imputation of weakness and *irritation* under the charge which forced him forward; *but then it was necessary that Truth should be told.*—Another reason still might retard him,—he was a Privy Councillor: going into a question of this nature might seem to involve a dereliction of his duty; but he trusted nothing should so far make him forget that duty, as to touch upon matters by whose disclosure it might be impaired. But the character of his Noble Colleagues must not be left to suffer through his silence. Some years since, his Majesty had been advised to issue a Commission for an Inquiry into matters which involved some eminent persons in this country. In that Commission his (Lord Ellenborough's) name was inserted, without his knowing any thing of the matter. In the performance of his duty, some person, with the most abandoned and detestable slander, had dared to charge him with a gross act of dishonesty; him, on whose character for integrity, diligence, and care, depended more of the property and interests of the people than on those of any other man in the country; yet of him it was foully and slanderously alleged, that he had falsified the evidence given before the Commission, giving in as a document evidence that

was not received, and suppressing that which was actually given. THIS WAS ALL A LIE,—A VILE SLANDER,—ALL FALSE AS HELL.—He would not violate the *propriety* of that House; he knew the respect and the *decency* which it required; but he must give THE LIE to falsehood. In the course of the Inquiry his Noble Colleagues thought it proper to have some person to take down the evidence. Sir S. Romilly was the person fixed on. One evening the witnesses being in attendance, it was thought better not to defer the examination, though, from some circumstance, Sir Samuel Romilly was not in attendance. The Commissioners requested, that he (Lord Ellenborough) should take down the evidence of the witnesses. He declared upon the most sacred asseveration that could be made,—the most solemn sanction of an oath,—that every word of that deposition came from the lips of the witness in question (Mrs. Lisle)—that every word of it was read over to her,—if not paragraph by paragraph, as it was taken down, certainly all after it was taken,—and every sheet signed with her name. If it would not be going into the particular disclosure, which nothing could induce him to allow or advise, the bare inspection of the paper would be enough to shew that fabrication was impossible. But how absurd was the charge? Would his Noble Colleagues have suffered him to vitiate the evidence? Would they have allowed him to set down a word on the paper which was not deposed by the witness? Their Lordships, when they shewed so just a jealousy of *the reputation* of their body,—when it was so important that his (Lord Ellenborough's) integrity should stand without suspicion, from the multitude of interests connected with it,—their Lordships could not blame him for standing forth to repel in the strongest manner SO BASE AND IMPUDENT AND MISCREANT AN IMPUTATION. (*Hear.*) Nay the thing was *foolish* as well as wicked. It was despicable from its very stupidity. It charged him with putting leading questions. Now what was the case in which leading questions could be put? It was, where there were contending parties; and leading questions were only improper when the Counsel might be suspected of instructing his own witness. But the Judge had a right to put any question which appeared to him likely to elucidate the *Truth*. There was another case, when the witness was adverse; but here the rule had its exceptions, and nothing to be derived from it could impeach the putting of any questions by Commissioners, *who could have had no object but the Truth*. It remained for this stupid and *cursed* impudence,—for impudence was a curse,—to add another query, and gravely demand why the examination had not been written in question and answer? But was there a man grey-headed in the law who had ever heard of such a thing? One of the most alarming symptoms of the age was, that brutal and savage indifference with which men threw about *slander at the highest characters*: this was "tossing firebrands," and then saying, "am I not in sport?" But in the whole transaction, he and the Noble Commissioners, he must be allowed to say, felt not perfect indifference, (for who could feel indifference?) but a single desire to do their duty—(*Hear!*)—He was sorry to have so far troubled the House. His purpose was not *vindictive*, but exculpatory. For whatever punishment the offence might call, he would call for none;—he was only desirous to stand unimpeached in the opinion of the country, and honest in the eyes of his fellow men.—(*Hear.*)

Lord ERSKINE (another of the Commissioners on the Inquiry) followed, and complained that justice had not been done them: he retorted the calumny, and had only to desire that the whole of his conduct should be laid open.

Lord GRENVILLE (a third Commissioner) took the same ground of defence as the previous speakers, but without the violent tone of Lord Ellenborough.

Lord SPENCER (the fourth Commissioner) entirely agreed with what had fallen from all the Noble and Learned Lords.

Lord MOIRA then entered upon a defence of himself against certain other charges, which had been brought against him. On the faith and honour of a gentleman, he declared, that he had never *spontaneously* sought for information on the subject, nor had he ever been *instigated* so to do (*Hear, hear!*)—As *a Councillor in a certain quarter*, he considered himself bound by his oath to enter into the matter.—With regard to the examination of the servant (Porter) of a Noble Lord (Eardley) he had never been at the place alluded to. That Noble Lord had obtained an interview with him, and stated certain matters, when it became necessary to send for the servant spoken of, and it was found that the whole matter was unworthy investigation.—*Frances Lloyd*, an unwilling witness, had stated that a Medical Man had made a certain observation; this he thought demanded inquiry, and he had sent for two Medical men to meet the Magistrate at his house. Dr. Mills attended, but he was not the person. His Partner (Mr. Edmeades) was accordingly summoned; and he (Lord Moira) believed, he did make use of some such expressions as those mentioned; but they were not used in such a manner as to evince any wish on his part to procure evidence in favour of a particular side: so far from it, they were in reality intended to operate as a severe check upon him, on account of the *pert* manner in which he gave his evidence. He (Lord Moira) then and still believed, that the man did make use of the observation ascribed to him.—"My Lords" (concluded the Noble Earl) "I shall probably quit the country in a very short time, and therefore I wish to advert to another calumny against me. I find it stated in a publication,* that "the writer of this ar-

* It is imagined that the *Examiner* is one of the Papers thus honoured with his Lordship's notice. The No. for March 14, 1819, contained the following paragraph:—

The words 'suborned traducers' in the Princess of Wales's Letter, it is said, had no reference to the Prince himself. "The imputation (says the *Chronicle*) was thrown in 1806, by the Advocates of the Princess, on a Noble Earl *distinguished by his chivalrous gallantry on behalf of the Prince*. It alluded to certain jaunts to Belvidere-house and grounds, which lay near the residence of the Princess: and it occurred to the Noble Earl, that by an examination of some of the domestics, evidence *might* be obtained. Nothing however came of the inference, and the Noble Earl, in consequence of the charge, entered a Minute of Explanation on the Council-Book, vindicating himself from all irregularity in the inquiry he made."—How does the Noble Earl, who is so "distinguished for his chivalrous gallantry in behalf of the Prince," like this defence?—The person who puts this question once talked with a Gentleman, who said he was expressly authorized by Lord Moira to *publish* certain matters of this kind, highly injurious to her Royal Highness, in a daily Evening Paper; which in fact were published.—If the Noble Lord were deceived, it will become him to go down to the House of Lords and say so;—a little of his "chivalrous gallantry" may well be bestowed on a Lady and a Princess.

The reader will have seen that there is not one word in the above about *anonymous* paragraphs, which the Noble Earl so indignantly disclaims.—The writer of the article can only repeat,—which he does in the most distinct manner,—that he was certainly told by the Gentleman alluded to, that he was authorized by Lord Moira to publish the matters in question.—His Lordship must well know, that the Editor of a certain daily Evening Paper, which, while under his direction, contained matter most injurious to her Royal Highness, was often favoured with his Lordship's notice; and it can hardly be supposed that any Editor, without what he conceived sufficient authority, would have ventured upon so dangerous and extraordinary a charge as that put forth.—In fact, the Noble Earl must remember, that he did not confine his patronage of this paper to the bare notice of its Editor, but gave many more substantial proofs of goodwill and anxiety for its success.—It has of late become a fashion with "great men" to appear as if they held the public journals in very slight estimation.—The late Mr. Windham, it is generally known, absolutely attempted to degrade them in Parliament, at the very moment when he was coquetting with the Reporters, and even using expensive means to get his speeches printed after his own taste.—Even the "Gracious PATRON" himself,—as was lately *proved* in a Court of Law,—has granted an annuity to an Editor of the *Morning Post*; and the royal favours so

ticle knows that the Earl of Moira sent anonymous paragraphs to an Evening Paper, for the purpose of calumniating the Princess of Wales." My Lords, I have so utter a detestation of any thing anonymous, that I never resorted to it but once in my life, and that was some years ago, to correct a misrepresentation regarding myself, but which was of a very trifling nature, and of no serious import whatever. With respect, however, to the charge thus *calumniously* made against me, of sending anonymous paragraphs to a Newspaper, reflecting upon the character of the Princess of Wales, I do most solemnly declare, in the presence of Almighty God, before whom I stand, that I know of no seduction that could tempt me to such a base and execrable meanness, nor could any such conduct have more certainly lost the favour and incurred the displeasure of *Him*, whom this writer chuses to suppose it would have gratified.—My Lords, I have thought it due to myself to say thus much in vindication of my own character, against the most gross and unfounded calumnies."—Adjourned.

Tuesday, March 23.

The Royal Assent was given to the Mutiny Bills, the Starch Bill, the Vice-Chancellor's Bill, and a considerable number of Road and Inclosure Bills.

The Local Militia Bills were read a third time. Lord SIDMOUTH stated, that the exemption of Volunteers from the Ballot was soon to cease.

NAVAL MISMANAGEMENT.

Lord DARNLEY observed, that not only our frigates, but even our merchant ships had suffered in such a large proportion, compared with the American losses, that there was the strongest presumption of mismanagement in the Naval Administration, and a want of energy in the prosecution of the war. Feeling it, then, to be the duty of Parliament to institute an inquiry, he should on that day fortnight submit a motion to their Lordships, with a view to the investigation of the causes that had contributed to produce the disasters to which he had referred.

STIPENDIARY CURATES

Lord HARROWBY said, that it was necessary for the support of the dignity, utility, and even the existence of the National Church itself, that residence should be promoted, and that a competent allowance should be made to those who performed the parochial duties. He then read several passages from returns on the table, shewing that in these respects the Church Establishment was deplorably deficient. To this he ascribed the lamentable progress of schism—which was so great, that, by an account which he held in his hand, it appeared, that in a given number of parishes, where the places of worship belonging to the Establishment amounted to about 2500, the number of such places belonging to Dissenters amounted to 3108.

The Bishop of LONDON did not approve of the provisions of the Bill, which went to impose an invidious duty on the Bishops; to diminish the responsibility of the Incumbent; and to create perpetual disputes between the Incumbents and the Curates.

The Duke of NORFOLK doubted whether the Bill was calculated to effect its object.

The Archbishop of CANTERBURY contended, that at no time had there been a resident Clergyman in every parish—although he admitted that it was highly desirable that this should be the case. But in many parishes the Clergymen were prevented from residing by having no parsonage-houses.

The Archbishop of YORK approved of the Bill.

The Bishop of ST. ASAPH stated, that he had within these 25 years, raised the salaries of the Curates in the Dioceses of Bangor, and of St. Asaph, with the good will of all the parties concerned.

The Bishop of DURHAM had also exerted himself in raising the allowances of the Curates; but there were some parishes in his Diocese, for which, from the smallness of the endowment, he could not get Clergymen to supply.

The Bill was ordered to be committed on Monday.—Adj.

Wednesday, March 24.

DEATH OF THE DUCHESS OF BRUNSWICK.

The Earl of LIVERPOOL lamented that the melancholy event of the Death of his Majesty's Sister, her Royal Highness the Duchess of Brunswick, rendered it necessary for him to move an Address of Condolence to the Prince Regent. It was wholly unnecessary for him to say a word upon this subject, such an Address being the usual form when so melancholy an event of this nature occurred whilst Parliament was sitting. His Lordship moved an Address, which was agreed to *nem. diss.*—Adj.

HOUSE OF COMMONS.

Monday, March 22.

THE PRINCESS OF WALES.

Mr. WHITBREAD, having first alluded to the *temperate* manner in which a high and grave Authority had noticed his observations respecting Mrs. Lisle's Evidence, gave notice of again entering upon the subject.

EAST INDIA COMPANY.

Lord CASTLEREAGH made some prefatory remarks on the difficulty of regulating the affairs of the Indian Empire, consisting as it did of 50 millions of souls; but still contended for the necessity of altering the present system in many respects. He concluded by presenting various Resolutions to the House for its consideration, of which the following is an abstract:—

1. That all the present immunities of the Company, and the regulations respecting the same, should continue, except as hereinafter provided.—2. That the China trade should continue under its present restrictions.—3. That it should be lawful for any British subject to export to any other part included in the Company's Charter *from* any port of the United Kingdom.—4. Also to import thence *to* any port in the United Kingdom.—5. Provided the warehouses at the said ports should be deemed safe for the purposes of the Revenue.—6. And that this be notified by an Order in Council.—7. Provided the vessel in which goods be imported or exported be of a burthen not less than 350 tons.—8. And that on approaching port the vessel notify its arrival by a manifest.—9. Regulations as to importation and sale of silk and hair goods.—10. As to the order of the application of the revenues of the Company.—11. Regulations respecting the employment of India shipping.—12. Provisions for the support and return of the Lascars brought to England in private vessels.—13. Provision to enable the Company to grant pensions and gratuities.—14. Provision for the appointment to the different Presidencies, and to render necessary the approbation of the Crown.—15. Appointment of a *Bishop* and *three Arch-deacons*, to be paid by the Company.

Mr. R. THORNTON acknowledged the liberality of the Noble Lord in praising the civil servants of the Company in India, and the Directors at home, while he wished to make

---

recently and astonishingly bestowed on the Reverend Proprietor of the *Morning Herald*, have been made the subject of parliamentary notice.—If, therefore, the Noble Earl's "gracious Master" condescends to pay and to honour Newspaper Editors, is it any thing wonderful that he himself should have deemed it useful and agreeable to bestow similar kindnesses?—The writer is pretty sure that Lord Moira has indulged this taste at some expense, and considerable trouble.

With the knowledge of these facts, the writer of this Note and the former paragraph is not a little surprized to see that his Lordship vehicates to complain of "*calumny*."—The writer has stated nothing but what he is willing to confirm in the most solemn manner.—Though a very humble individual,—yet, as he has neither received ribbands nor Indian Governments from Royalty,—being

"Unpaid, unpensioned,—no man's heir or slave,"—

he is not at all unwilling to measure his character for veracity with that of the Noble Earl.—And though it may be entirely a matter of taste, he is altogether of opinion, that Lord Moira might well have spared, under all the circumstances of the case, the oblique panegyric on the Regent with which he concluded his apology and defence.—His Lordship, in more than one respect, seems to have been lamentably deficient in the great art of knowing when and where to *leave off*.

an entire change in their Government! In his (Mr. R. Thornton's) responsible situation, it was necessary for him to protest thus early against the present propositions, which involved the interest of 60 millions in India and 15 millions in this country.

A desultory Debate then took place, after which the Chairman obtained leave to sit again.—Adjourned.

Tuesday, March 23.

THE PRINCESS OF WALES.

Mr. WHITBREAD called the attention of the House to some observations he had formerly made on the subject of Mrs. Lisle's evidence. What he had said was this; that if the paper put into his hands was correct respecting the question put to Mrs. Lisle as to her opinion whether the Princess of Wales conducted herself as a married woman ought to conduct herself, contrasting her supposed conduct with that which became a married woman? then, unquestionably, he found that there was no answer given to that question. He never said that the Commissioners kept back any part of the statements. He had not read all, but only a part of the questions said to have been put; and he had, in observation, added his opinion (the opinion, of course, of an ignorant person), that certain questions ought not to have been put to Mrs. Lisle. He had written a letter to Mrs. Lisle, which he should trouble the House by reading:—

"*House of Commons, March* 22, 1813.

"DEAR MADAM,—I am exceedingly sorry to be troublesome to you, and especially on such an occasion; but when I have stated the cause to you, I have no doubt you will acknowledge the necessity I am under of addressing you. On Wednesday last, before I went to the House of Commons, a paper was put into my hands, of which I send you a copy enclosed. I was assured it contained an authentic account of your examination before the Lords Commissioners, on the conduct of the Princess of Wales. Believing in the integrity of the person who made the communication to me, I used (as I was told I might truly do) the paper in the House of Commons, and as I thought that justice demanded I should.—Lord Ellenborough has this evening declared in the House of Lords, that the paper is a false fabrication, as I understand from those who heard him; and that the other Commissioners have expressed their opinions, although *more mildly*, to the same effect. So circumstanced, I am compelled to ask you, whether you agree in the character ascribed to the paper by the Noble Lords. If you do, I shall only have to lament, that I have been imposed upon, and to acknowledge the imposition practised upon me. If the paper should ever before have been seen by you, I shall be extremely glad to receive all such information as you may have it in your power to give respecting it, that I may trace the fabrication to its author. I have the honour to be, dear Madam, your faithful servant,

"SAMUEL WHITBREAD."

Mr. WHITBREAD said, he selected the *softest words* used by the Learned Lord. There were *other words* used, which were banished from the communications of the intermediate ranks of society: words which were not considered necessary for personal justification, or even for offence. In the LOWEST RANKS, indeed, they had sunk into disregard; and *if they could find a place anywhere, it must be only in the sacred person of the Lord Chief Justice of England!*—To this letter he had received an answer from Mrs. Lisle, which he also read:

"*Canbury, March* 23, 1813.

"DEAR SIR,—I received this morning your letter, with the accompanying account of my examination when before the Lords Commissioners, in the year 1806; and having compared it with the original document, I find them exactly similar.—On my return from the Lords Commissioners, I, to the best of my recollection, committed to paper the questions which had been put to me, and my answers; and I transmitted a copy to the Princess of Wales, having previously received her Royal Highness's commands so to do. It has never been my intention to set up these recollections against my deposition; and as little has it been my wish that they should be made public. Indeed, so scrupulous have I been in this respect, that, with the exception of the copy sent to the Princess, immediately after my examination, the paper now in question was not, till very recently, seen by my nearest connections; even now it would not have been seen by them, had not erroneous statements, and garbled extracts from my deposition, appeared in some of the public papers. How the paper has found its way into your hands, I guess not. As I have already stated, it has not been by any act or intention of mine; but certainly the paper which you have sent me is a correct copy of the one that I had written. I am, dear, Sir, your faithful and obedient servant,

"HESTER LISLE."

Now, (Mr. W. observed), he hoped that neither the House nor the public would say that he had been imposed upon! (*hear, hear*) or that there was any intermediate fabrication by the person who gave him the paper, or by Mrs. Lisle herself. (*No*). If the questions were wrongly stated, and the Commissioners could contradict the account, it was so far well. For his own part, he could not throw any such imputation upon Mrs. Lisle, as to imagine that she had made the slightest attempt at fabrication. There was, indeed, in another part of the papet itself, internal evidence of its authenticity; for in taxing her memory, Mrs. Lisle had, in one instance, said, that she could not put down an answer to one question, having forgotten the precise answer which she made to it.—He felt very sorry, in these unfortunate circumstances, to have done any thing which could give pain to Noble Lords, and Friends for whom he entertained a high respect; or to any Magistrate, such particularly as the Lord Chief Justice of the King's Bench; but he had felt the paramount importance of a sense of justice to the part he had taken in the business, and which occasioned his comments. On that feeling he relied, and was upheld by it now. He thought it his duty to take some course for setting himself right; and he placed himself on the justice of the House.

Lord CASTLEREAGH, Sir A. PIGOTT, Mr. ELLIOTT, and Mr. PONSONBY, thought that the Hon. Gentleman had committed an irregularity in reading an unauthenticated paper.—Lord C. "thought that it would be, indeed, a strange perversion of all legal principles, if the recollections of a witness, after being examined with all the forms of justice, however respectable in life such a witness might be, were to be received, as it were in judgment, against formal depositions, and in derogation of the judicial character of eminent persons entrusted with the exercise of a painful public duty."

Sir F. BURDETT said, that if the Honourable Gentleman (Mr. Whitbread) had not verified this document before the statement, he had done so since; and he did not see any thing in his conduct deserving of the reprehension which it had met with. He could not avoid returning his thanks to the Honourable Gentleman, for the manner in which he had brought forward this great question; and he thought that it had been productive of the happiest effect, as nothing could be more important than that the innocence of the illustrious Personage should be so completely vindicated to the world.—Adjourned.

Wednesday, March 24.

DEATH OF THE DUCHESS OF BRUNSWICK.

Lord CASTLEREAGH moved an address of Condolence to the Prince Regent on account of the death of the Duchess. He said, that he was certain the House would acknowledge, that whenever any branch of that illustrious Family, under whose benignant sway the liberties and prosperity of this country had flourished now for a whole century, paid the debt of nature, it became them, as the Representatives of the people, dutifully and affectionately to lay their feelings at the foot of the Throne.

Sir F. BURDETT and Mr. WHITBREAD expressed their opinions on the propriety of also addressing her Royal Highness the Princess of Wales on such an occasion; as she was more interested even than the Prince.

Lord CASTLEREAGH said that such a proceeding was unusual;—and the motion was carried.

THE PRINCESS OF WALES—SIR JOHN AND LADY DOUGLAS.

Mr. C. JOHNSTONE, after some prefatory remarks moved a Resolution, declaring it to be the opinion of that House, *that the Petition of Sir John and Lady Douglas ought to be regarded as an audacious attempt to give a colour of truth, in the eyes of the nation, to evidence which they had delivered touching the conduct of her Royal Highness the Princess of Wales, and which evidence was a foul and detestable endeavour to bring the life and honour of her Royal Highness into danger and suspicion.*

The motion was seconded by Sir F. BURDETT, and the question was about to be put, when

Mr. HERBERT, of Kerry, arose amid loud cries of "Question! Question!" to state his objection to the Resolution, as pledging the House to what it had no means of knowing, and declaring that he should divide the House.

Some conversation then ensued between Mr. WHITBREAD, the SOLICITOR GENERAL, Mr. TIERNEY, and Mr. BARHAM, whether the Resolution should be met by a direct negative, or by moving the previous question. Mr. Whitbread contended, that however strongly the House might agree with the sentiments expressed by the Resolution, they certainly had nothing before them in the shape of evidence, that could warrant their coming to it, and therefore if it came to Aye or No, he should certainly vote against it.—The SOLICITOR GENERAL thought the proper way of disposing of it would be by a direct negative, while Mr. TIERNEY contended that, by giving it a negative, the House would assert that they did not conceive the Petition to be of that description as characterized in the Resolution. Mr. BARHAM thought there could not be a case before the House more fit to be got rid of by moving the previous question than the present; and the SOLICITOR GENERAL replied, that it was enough for him to find that any considerable part of the House entertained an opinion different from his own, to induce him not to persist in it. He would therefore move that the House should adjourn.—The question was carried unanimously.—Adjourned.

Thursday, March 25.

FINANCES OF THE COUNTRY.

Mr. HUSKISSON called the attention of the House to the new plan of Finance (Mr. Vansittart's) which, in his opinion, would end in the ruin of the Sinking Fund system;—and he called upon the admirers of the late Mr. Pitt to join him in preserving that *immortal* fabric. The scheme, in fact, would terminate in the ruin of the country.—Last year his Right Hon. Friend had been called upon to lend his aid: he was desired to visit and examine the patient; he reported that he found the pulse of the nation in a very low state; something must be done, and he promised a restorative that would restore the patient to all the former vigour of his constitution. He had now visited the sick for the second time, and what was the report he made:—"Why," said he, "upon turning the case over in my mind, it strikes me that there is something in your constitution, that, about the year 1830, may, if care be not taken, expose you to the inconvenience of repletion; therefore, instead of the powerful, invigorating restorative that I promised you inconsiderately, I must prescribe an immediate copious bleeding. (*Hear!*)—To be sure I see you in a very weakly state, but you must be instantly phlebotomized; there is nothing like it for restoring a man in a consumption to health, and this bleeding must be followed by three others in rapid succession!" (*Hear, hear, and laughter.*)—Such was the golden plan of the Right Hon. Gentleman, and by its adoption we should find, that in 1837 we must pay four millions more new taxes—the National Debt will be increased 366 millions—and the Sinking Fund would sustain a deficit of five millions.—For two or three years of delusive ease, we should have 20 years of difficulty,—difficulty of a nature too alarming to mention.

Mr. VANSITTART contended that Mr. Huskisson's statements abounded in misconceptions. There was no intention of pulling down the Sinking Fund—the plan was, to avoid new taxes for four years without touching on the public faith. But supposing even it could be proved to Bonaparte, that by a plan which *might* involve a breach of faith with the public creditor, we should be enabled to carry on the war for four years without inconvenience, he apprehended it would be by no means a subject of comfort or consolation to him, when he found there were sufficient resources for so carrying on the war, to reflect that at a future period the public credit *might* suffer some injury.—(*Hear!*)—He should not have proposed his measures, perhaps, if they had not been demanded by the importance of the crisis—all human exertions must have an end. The Property Tax could not possibly be carried beyond the present rate of 10 per cent. The people had borne these heavy impositions hitherto with an astonishing *patience*, which was highly honourable to the country; but the question was, would they patiently bear a large addition to the taxes which pressed already with so much weight upon them?—The advantages of the present plan, he conceived, were great, as the relief was immediate, while the disadvantages were contingent, and might never at all take place.

Mr. BARING thought the plan should be delayed till next year.

Mr. LONG said, that as it was not possible to push Taxation much farther, he approved of the proposed plan.

Mr. THORNTON was not altogether sure that the measure was compatible with public faith.

Mr. ROSE was of opinion that the plan was the best which could be devised, at a time when to encrease the Taxes, he thought, would try the ingenuity of most persons.

Sir R. HERON recommended a system of retrenchment.

Mr. TIERNEY entirely agreed in the able statements of Mr. Huskisson.

The Resolutions of Mr. Vansittart were then carried.—Adj.

Friday, March 26.

APOTHECARIES.

Mr. CALCROFT withdrew the Apothecaries' Bill till next Session.—The object of it, he said, was to make the profession of Apothecary more respectable, by allowing them to charge for their attendances: but the Colleges of Physicians and Surgeons, as well as the Chemists and Druggists, having all opposed the measure, he should postpone it.

FINANCE, &c.

The new Plan of Finance was again entered upon, and a Bill ordered to be brought in.

The Shoplifter's Bill (Sir S. ROMILLY'S) was read a third time and passed, after some opposition from Sir W. PLUMER, Serjeant BEST, and others: but there was a majority of 38 for this enlightened measure.—Adjourned.

TUESDAY'S LONDON GAZETTE.

This Gazette contains an account of one of the most sanguinary engagements ever fought by a single frigate, without terminating decisively. His Majesty's frigate Amelia, the Hon. Capt. Irby, Commander, maintained this desperate conflict, on the 7th ult., off the coast of Africa, against the French frigate L'Arethusa, which she had judiciously contrived to separate from another, called Le Rubis; thus rendering the latter a mere spectator of the combat, without being able to take a part. The loss in killed and wounded on board the Amelia amounted to no less a number than one hundred and forty-one, including the Captain, and every Officer down to the Master's Mate. *All* the Lieutenants belonging to the vessel, together with Lieut. Pascoe, late of his Majesty's sloop Daring (which had been destroyed to prevent her falling into the hands of the enemy), were *killed*, as were the Lieutenant of Marines, Midshipman, and forty seamen. The Captain and 94 others were wounded, many of them severely. The action lasted three hours and a half, during a perfect calm, the ships nearly touching each other; and at the conclusion, the Arethusa joined her consort, though in a very shattered state about the hull.—During the action the vessels twice fell on board of each other, and the enemy tried to board the Amelia, but were repulsed by the marines. "When I have the misfortune (says Capt. Irby) to

state such a severe loss, I trust it will be clear that every person must have done his duty. I feel most grateful to my gallant officers and crew, as well as the supernumeraries late belonging to the Daring, for their cool, steady, and persevering conduct, which was worthy the utmost success; but the superior force of the enemy, (she carrying on her main deck heavy French twenty-four pounders) the considerable quantity of gold dust we have on board, as well as the certainty of the other frigate coming up, would have prevented me seeking a renewal of the action, if it had not been totally impracticable."

[Here follows a list of 156 vessels, captured on the American, Jamaica, and Leeward Island Stations.]

BANKRUPTS.

P. Partway, Stourport, timber-merchant.
R. Wells, Faringdon, harness-maker.
W. R. Hargreaves, Altrincham, Cheshire, grocer.
T. Booth, Liverpool, merchant.
W. Young, Great Coxwell, Berkshire, dealer.
S. Golledge, Bristol, plane-maker.
J. Haigh, Morley, Yorkshire, merchant.
R. Fairbairn, South Shields, ship-owner.
B. Rogers, Cheltenham, butcher.
G. Bird, Perceval-street, Clerkenwell, plasterer.
J. Brandwood, Oxford-street, dairyman.
J. Ley, Taunton, mercer.
J. Lee, Ratcliffe-highway, hosier.
B. Bray, Romford, victualler.

SATURDAY'S LONDON GAZETTE.

BANKRUPTS.

H. Bolton, North Shields, house-carpenter.
J. Buller, Taunton, Somerset, linen-draper.
J. Williams, Oxford-street, draper and taylor.
J. Manning, Peterborough, Northampton, currier.
J. Banks, Birmingham, seedsman.
W. Crisfield, Maidstone, grocer.
D. Cass, Oxford-street, jeweller.
R. E. Stuart, widow, Portsmouth, victualler.
T. Love, Church row, Aldgate, victualler.
J. Phillips, Oxford street, fruiterer.
J. Holt, Southall, Middlesex, innkeeper.
J. Lake, Cheapside, boot-maker.
J. Gogerley, Great Ormond street, scrivener.
J. A. Wood, Little Cockpit-yard, King's-road, stable-keeper.
T. Morris, Aldgate High-street, linen-draper.
T. Edwards, Stanmore, Middlesex, plumber.

THE EXAMINER.

London, March 28.

The past week has been rather barren of Continental news. The only circumstances of any interest are, the signing of a Treaty offensive and defensive between Russia and Prussia, and the retreat of the King of Saxony from his Capital. Our feelings are in some degree refreshed by these and the many previous proofs of the diminution of the military power of Bonaparte, as tending to compel that grand destroyer of the human race to give some respite to the wretched inhabitants of the Continent, in consenting to terms of peace.

The papers brought by the last Gottenburgh Mails confirm the occupation of Warsaw and Berlin by the Russians, and the evacuation of Hamburgh by the French; but do not add many facts of importance to the previous intelligence.

Government on Thursday received dispatches from Lord Cathcart, respecting which the following Bulletin was issued:—"Government have received dispatches from Lord Cathcart of the 6th instant, which confirm all the accounts of the successful advance of the Russian forces, and add the important intelligence that a Treaty, offensive and defensive, had been signed and ratified between the Emperor of Russia and the King of Prussia.—Lord Cathcart writes from the Emperor of Russia's head quarters at Kalitch."

It is believed that the dispatches from America, brought by the Dotterell ship of war, contained the offer from the Republican Government of an Armistice, intended to be preparatory to a Treaty of Pacification with Great Britain. The basis of such an arrangement is supposed to be as follows:—1. A law to be passed by Congress, under which it will be highly penal to employ British seamen in the ships of the United States, whether commercial or naval.—2. No British seamen to be in future naturalized by the existing law of citizenship, obtained by residence, and an Act to be passed, to exclude such persons from the operation of that law.—3. A negociation to be entered into regarding the interchange of the British and American seamen reciprocally claimed by the two countries.—With respect to the first article, a Bill has already passed the House of Representatives to provide for the purpose it contemplates.

The Captain, of 74 guns, in which the immortal Nelson achieved never-fading laurels in the battle off Cape St. Vincent, was totally destroyed by fire, on the night of the 22d instant, in Hamoaze, Plymouth.—The Captain was made a receiving ship, and had the stores of the San Josef, of 112 guns, on board. The latter, also, lay alongside the former. The fire was discovered at eleven P.M. bursting from the galley of the Captain, and spread itself with uncommon rapidity over every part of the ship.—During a considerable time no small agitation prevailed in the town of Plymouth-dock. The boats of the Dock-yard, and of the fleet, surrounded the flaming ship, but it was beyond the reach of human effort to arrest the progress of the flames. The scene was grand beyond description. Hamoaze was illuminated in every part: the numerous boats on its spacious bosom—the seamen crowding the decks, or hanging on the rigging of the shipping,—were as discernible as at noon-day; as were also the hills embosoming Hamoaze, and the towns in the vicinity.—At one A. M. it was judged prudent to sink her; and as it was found impossible to scuttle her, two launches were armed with carronades from the Dryad frigate, and two others with field-pieces from the park on shore; and, after a number of discharges, she sunk at four A.M. while as yet her timbers had not fallen a prey to the flames.—No lives were lost. The whole of the stores of the San Josef were destroyed, as also the sea-stores, clothes, &c. of the Officers. The San Josef, of 112 guns, which lay alongside the Captain, and so narrowly escaped destruction, was the vessel which Nelson, in the Captain, so nobly boarded, and so dauntlessly carried. The Vanguard, of 74 guns, his Lordship's ship at the battle of the Nile, lay just above the scene of destruction.

A Morning Paper states, that the people of Hanover are ripe for revolt—indeed have revolted, against Bonaparte's Government, and that they had *crucified* a French Agent, actually *nailed* the miserable man to a cross!! The paper in question is notoriously credulous on such points; and we hope that there is no truth in the statement.

It will be seen by Tuesday's Gazette, that,—for the first time we believe this war,—a French frigate, of nearly equal force with a British one, has fought a tremendous battle, without having been captured.—This is much worse than being beaten by a superior American force; for the French have, in numbers, a truly formidable navy, and if its discipline be thus improved, we may look forward to the most awful consequences.

It is said, on the information of a letter from Deal, that BONAPARTE has left Paris, and has been on the coast prior to taking the command of his army.

Mr. EDMEADES died about two years ago. He cannot therefore vindicate himself.

Mr. Aris and *Mary Evans* have both been again examined respecting their drowned child.—Nothing decisive has yet taken place, and we therefore defer some remarks till a future Number.

THEATRICAL EXAMINER.

No. 132.

COVENT GARDEN.

We were delighted to see the representation of *As you like it*, not only on account of the graceful romance of the story, and the elegant richness of the poetry, but also for the unadulterated goodheartedness of its principal characters. The play indeed contains two rogues, the usurper *Duke* and the unnatural *Oliver*, but neither of them fills sufficient space to excite a painful disgust: and both of them turn out to be corrigible villains, men of fleshly hearts, accessible to shame and repentance, and not of that fierce immovable cast of depravity, which are so often let loose on the stage to amuse people of sense, and to frighten children and grandmammas. The rest are all kind, friendly, affectionate persons, whom any one, provided he had nothing else to do, would go as far as the forest of Arden to visit: they are persons who excite in us a warm sympathy in their interests, and with whom we should jump to shake the right-hand of fellowship. It is a sad mistake to suppose all good people are dull, though we confess that most of our moral writers have taken great yet unconscious pains to confirm their readers in this error. Their method is to introduce to our acquaintance some worthy gentleman or lady, endowed "with every virtue under Heaven:" this estimable personage, armed with all that respect and veneration which a long detail of his or her individual good qualities cannot fail to excite, comes forward to our notice. Expectation is wrought to a point of pain:—What are the good and noble deeds to be performed? What passion is to be trampled at the feet of duty? What duty to be performed in the face of difficulty or danger? There is nothing at all of all this: no; the good person comes before us to harangue on points of religious controversy which would set a Divine asleep, or to descant on the excellence of first moral principles, which no man out of Newgate or Bedlam denies. No wonder such beings are insipid and tiresome acquaintance: no wonder the young and the lively, who prefer a laugh to a yawn, fly from the prosing diatribes of such virtue, to the gossip even of the vulgar and superficial. Thus it is that *Cœlebs* and his *Cœlia*, the good *Mr. Stanley* and the amiable *Mrs Stanley* (in a novel of Mrs. MOORE) operate upon our minds like a dose of opium: we avoid their contact as we would the touch of a torpedo. But who ever felt himself tired, nay who does not hang with eager and never-flagging delight on the chivalrous generosity, the gallant spirit, and the active munificence of *Sir Charles Grandison*, not wasting his time in moral admonition and religious dispute, though he can talk too, when to talk is necessary, but springing from place to place and even from clime to clime with a vivacious assiduity which self-interest cannot weaken, nor danger terrify. Above all, who is not absorbed to a degree of enthusiastic sympathy with the determinate yet gentle energies of *Clarissa*, struggling with unshaken courage amidst oppression, amidst atrocious injuries, and destroying agonies of body and soul, and while her heart is bursting with the effort, still presenting a face of unblenched firmness to her persevering though awe-struck enemy. This is the way to make virtue interesting: let it act or suffer: but let it not merely talk. It is on this principle that not one of the numerous virtuous and innocent characters in SHAKESPEARE ever creates languor or fatigue in the reader. To say nothing of the men, is there one good female person in his dramas, who does not awaken the warmest and most attentive interest? The names of *Helena*, *Desdemona*, *Imogen*, *Cordelia*, *Ophelia*, start to our recollection as fast as the pen can mark them down. All these gentle beings prattle about virtue as sweetly as "the old age:" but it is not for this we love them: it is because they all do or suffer something which demonstrates that their virtue is more than mere words. So in the play before us from which we have strangely wandered, though it was the cause of our wanderings: the affectionate devotedness of *Adam*, dividing his fortunes with his injured master at the age of fourscore, the spirited and soothing gratitude of *Orlando*, in the protection of the good old man, the firm and patient dignity under misfortune, preserved by the *Duke* and the banished courtiers (for the melancholy *Jaques* grieves not at his own losses, but at the folly of human nature) and lastly, the sincere and proved friendship of *Celia*, and the elastic, unpretending gaiety of *Rosalind*, mid solitude and banishment: these are all active and energetic exercises of virtue, and are worth all the folios (which by the bye is no trifle, for they are seventeen) which St. Augustin ever wrote. Even *Touchstone*, sprinkled as he is a little with the polluting effusions from the dead sea of courtly manners and courtly vices, still preserves sufficient liveliness of virtue to follow the fates of his deserted ladies, and what is more, marries rather than corrupts a rustic wench, though "the Gods had not made her poetical." But SHAKESPEARE does not want our praise or our comment: it is our business to see how the actors have succeeded in embodying and representing his masterly conceptions. It was impossible not to be touched by the pathetic simplicity and natural earnestness expressed by Mr. MURRAY in the personation of the old servant: it is said that this part was played by the great bard himself, and though in opposition to some ill-supported opinions, we are convinced that he was a good actor, we think he would have been perfectly satisfied with the modern representative. Of Mr. CHARLES KEMBLE; it is impossible not to speak well, whenever he chuses to exert himself, which is only on rare occasions; he seems to think that every character, whatever be the passion which agitates it, whatever be the situation which molests it, must, to be properly expressed, be represented

with the same indolent, gentlemanly ease. Give him a part of such requisites: a *Bevil* or a *Valentine*: and we believe the most experienced master of royal ceremonies will allow that the picture is perfect and polished beyond the power of criticism. But is the gallant *Orlando* such a being: is he one of those creatures of mere elegant manners which lisp about the modern drawing-room: is he not rather the gallant, accomplished cavalier of the old time, all gentleness but all animation, all grace but at the same time all fire? How far Mr. C. Kemble's representation answered this description, we appeal to all those who must yet yawn at the recollection of it. Nor was Mr. Young much more successful in *Jaques*. If we had time we would stop to ask him what necessary connection he sees between melancholy and a bald head: and if any such connection exist, of which we are not aware, whether good taste considers such a deformity as theatrically picturesque. But this is a minor matter: we think he quite mistakes the nature of the character which he personates. *Jaques*, according to Mr. Young, is a sombre grim being, of stern manner, and tone inflexibly severe: *Jaques*, according to Shakespeare, is a melancholy humourist, with too strong a feeling of the emptiness of human pursuits not to weep with *Heraclitus*, but also with too keen an insight into human absurdity not to laugh with *Democritus*: his eager relish for the ridiculous is evinced by his occasional ironies, by his description of the seven ages, and by the discriminating and enjoying watchfulness with which he fixes upon and calls out, with leech-like tenacity, the ludicrous peculiarities of the *Clown*. He looks upon him as a rich feast, with which his fond appetite can never be sated. He hangs about him like a pet, and wants the *Duke* to like him also. Mr. Young delivered all the jokes with a grave sneer, repeated the celebrated satire on human life with the solemnity of a sermon, and questioned the droll with the air of a Catechist. One skilful touch we noticed, which was the marked and gentle attention which he showed to the aged *Adam* in the forest: and his musical voice gave an enchanting effect to the account of the hunted stag. Last comes *Rosalind*, or Mrs. Jordan: we will not attempt to find fault with a performance which at once delighted our senses, and satisfied our understanding. Some pretend to assert, that the manners of this Lady are not sufficiently genteel: we must say two or three words on this topic. We apprehend there are two styles of manner, to which people in high life affix the epithet genteel. One is that quiet ease, that studied polish, from which all offensive particularities are purified, all obtrusive prominencies are levelled down: we do not deny its charm: it excites our admiration at the skill of its fabrication, but never our respect for the understanding of the possessor: it awakens no attachment, though its force is irresistible to repel all possibility of insult and even of intrusive approach. The other style is a noble simplicity, springing from conscious dignity of character, from a mind unpolluted by one sordid or ungenerous thought, from a taste chastised from all mixture of offensive and even unpleasing irregularity, from a benevolence delighting in cheerful smiles, rather than accomplished obeisances, and all this corrected and adorned by an intercourse with liberal and enlightened persons, who respect and are respected by each other. This is the true gentility of manner, compared with which the other is mere art to be taught by dancing-masters and learned by footmen. We do not mean to ascribe to Mrs. Jordan all those qualities which, in our opinion, are the ingredients of the better manner: and this merely because it would be ridiculous to say so much of a person whom we have not the pleasure to know: but we do say, that her manner has all that noble frankness which, according to our theory, results from such worthy sources.

It would be shameful to omit mention of Mrs. Charles Kemble's *Audrey*, which, like her best representations, was perfect: it would be cruel to say any thing of Fawcett's *Touchstone*, because it might excite unpleasant comparisons in the minds of those persons who have not forgot (and who can forget) the exquisite acting of Bannister.

THE OPERA.

March 18, 1818.

Sir,—Nearly two months of the season have now passed away without the production of one operatic novelty, which might not have been complained of, had its place been supplied with the compositions of Mozart or other great composers; but these have, as usual, been furnished most sparingly, and Peicitta, Fioravanti, and other ephemeral writers, have contributed most plentifully to the stock of insipidity. The attention of the manager and performers seems to have been too much engrossed in disputes, to admit of any time to study the better interests of the concern. One principal cause of these disagreements has been the non-engagement of Madame Angiolini, whom a part of the audience have exerted all their hissing and hooting powers to obtain, and have in return been supplied with a correspondence in the newspapers, wretchedly conducted and tediously prolonged, full of accusations and dry details of salaries offered and rejected. With such disputes the public certainly have no concern; Mr. Taylor should be at liberty to engage what performers he pleases, and Madame Angiolini to decline performing if it is her wish; and they would both act wisely to keep their feuds to themselves;—it is Madame Angiolini's dancing, and not her correspondence, that the public would wish for; and it would be better to be without either, than that the theatre should be nightly disturbed by the clamour of her partizans. How far it would be politic for Mr. Taylor to engage her, is another question; but he certainly was right, for once, in resisting their unwarrantable demands. It is not to dancers that this ambition of letter-writing exclusively belongs, for Signor Tramezzani has also entered the lists, and that in a manner not very creditable to him. This gentleman, it seems, has taken great offence at the character of the *Count* in Mozart's opera of *Figaro*, which though precisely of the nature of many other characters that he has performed constantly, appears unsuitable to his ideas of his own dignity. Imagining himself born for kingly crowns, for helmets, shields, and spears, he spurns the idea of any character that does not come under the heroic class; and though he would condescend to sing in what he incongruously terms comic heroic operas, he shudders at the idea of descending to any thing so vulgar as an Italian Count. For all this, we have seen him in other operas survive a modern suit of clothes, and wear a round hat with tolerable patience. Now really, in a singer of considerable talent, one might have

expected something like a love for his profession, some portion of respect for the boundless genius of MOZART, that might have induced him to swerve a little from his high-flown notions;—he might too have recollected, that it is to great composers that singers are indebted for the best part of their fame: and gratitude, or at all events veneration, for departed talent, should have called forth his powers in such a cause; but Signor TRAMEZZANI seems insensible to such motives. He has not refused to play modern characters in operas of PUCITTA and GUGLIELMI, nor in his own production of *L'Ingfiada Gelosia*, and yet denies such a tribute of respect to a composer, whose lustre eclipses the feeble glimmerings of their fancy, and involves them in an obscurity more palpable from the contrast. In this dilemma, poor RIGHI, who is always ready, and possesses a happy monotony of face and gesture, equally adapted to tragedy or comedy, and utterly incompatible with either, has stepped forward to supply his place. The opera has of course lost much of its effect; but RIGHI does his best; and it is better to hear such music even indifferently performed, than not to hear it at all.

In the absence of other novelties, Mons. DIDELOT has produced a new Ballet, called *Le Patre et L'Hamadryade*, which as usual shews a refined poetical feeling. Wisely rejecting historical subjects, he seeks his resources among rustic swains or the deities that they in ancient times adored, and, plentifully stored with classical imagery, embodies the allegories and fictions which have descended to us, enveloped and endeared by all the charms of poetry. When dancing is devoted to such purposes, it becomes an art entitled to our respect, and forms an excellent medium for combining the enjoyments of poetry, painting, and music.

H. R.

FINE ARTS.

ROYAL ACADEMY LECTURES.

Mr. SOANE's highly interesting Lecture of Friday week, began with a sketch of the decline of Roman Architecture, from Diocletian to Constantine. Converted to Christianity, the latter Emperor, in his zeal to abolish Paganism, destroyed many of the superb monuments of ancient Architecture, among the rest the famous Mausoleum. From the examples of his degenerate though still magnificent structures, the Art continued to decay, richness of material and decoration being the main objects of regard. The Professor proceeded to a description and history of English Gothic Architecture, a term designative of that which succeeded the Roman. The early Saxon in England, and the Norman were nearly alike, and were rude imitations of Roman Art. Salisbury Cathedral, an exquisite specimen of the vaulted Gothic, for its simplicity and beautiful proportion. Notwithstanding their various defects, yet the classical mind must even admire the amazing extent, height, variety, harmony, grandeur, and solemnity, which pervade the sacred edifices of Gothic Architecture. It is to be regretted that most of the Gothic Structures which wealth and intellect raised in England, have been either lost or impaired. The Professor refrained from estimating the difference of intellect displayed in the Gothic and Grecian styles, pronouncing the latter, however, the most estimable. After detailing the rise and progress of Italian Architecture under the Popes, and particularly praising the classical purity of Palladio's genius, he gave a sketch of English Architecture, from the introduction of the Grecian taste by the renowned Inigo Jones, up to the time of its noble professor and patron, Lord Burlington, lamented the degeneracy of taste since that time, eulogized the talents of Sir W. Chambers, and the late Mr. Sandby, praised the Drawings of Mr. Turner and Mr Gandy, and concluded by recommending a Discourse on the merits and defects of the Annual Prize Drawing at the Royal Academy.

FOURTH LECTURE ON SCULPTURE.

The following is an abstract of Mr. FLAXMAN's excellent Lecture of Monday week, which treated on the Science employed in the Arts of Design:—

The Professor began by quoting Aristotle's precept, "that Art is the imitation of Nature," and Science consists of approved observations on intelligible and natural subjects, which thus become the principles of our knowledge. Man in a rude state of society, for want of these principles to direct his inquiries and determine his judgment, is continually liable to error, physical, moral, and religious,—all his productions of whatever kind partake of the same imperfection. The early Arts of Design in Greece resembled those of other barbarous countries, until the successive intellectual and natural, political and civil, advantages and acquirements of her people, raised them above the arts of surrounding nations. The Science employed by the Greeks in those Arts was traced, in Anatomy, Geometry, Mechanics, and Perspective,—from the ancient authors and coeval monuments. Homer had described wounds with accuracy, but insufficient for general purposes of Anatomy. Hippocrates was the first that enumerated the bones, and wrote a compendious account of the principal parts in the human figure. He described the shoulders, curves of the ribs, hips, and knees,—the characteristic forms of the arms and legs, in the same simple, bold, and summary manner in which they are represented on basso relievos of the Parthenon and Temple of Theseus —now in Lord Elgin's Museum. The ancient Artists saw the human figure so continually uncovered in all actions and circumstances, as to have little want of other assistance to perfect their works,—and they had also the assistance of casting, drawing, and such other subsidiary means as were allied to them. The succeeding ancient Anatomists did not describe the exterior of the human figure more minutely or more advantageously for the Artist than had been done by Hippocrates, until the time of Galen, whose external Anatomy gave example for the analytical accuracy and arrangement followed by the moderns.—Sculpture however profited little by Galen's labours, for the Arts of Design were in his time declining towards a state of barbarism. The Anatomical researches from Alcmæon of Crotona, the disciple of Pythagoras, to those of Hippocrates and his scholars, assisted Phidias, Praxiteles, and their cotemporaries and successors, in giving select and appropriate forms of body and limbs to their several divinities, whose characters were fixed by those Artists in consequence of the Rhapsodies of Homer having recently become popular among the Athenians. Phidias was the first in this reformation. Minerva, under his hand, became young and beautiful, who before had been harsh and elderly,—and his Jupiter was awful as when his nod shook the poles, but benignant as when he smiled on his daughter Venus. Apollo and Bacchus then assumed

youthful resemblances of their Sire, the first more energetic, the latter more feminine,—while Mercury, as patron of gymnastic exercises, was represented more robust than his brothers. Hercules became gradually more powerful, and the forms of inferior heroes displayed a nearer resemblance to common Nature. This gradual progress demonstrates the slowness of improvement, and recommends a constant attention to Nature, from which Truth, Sentiment, and Beauty, can alone be given to Imitative Art. It likewise encourages the moderns to emulate the ancients, from their superior assistance in Prints, printed Books, and the advancement of Science. The Balance, Motion, and Mechanical Powers, were explained by the Professor, as employed by the ancients in the study of the human figure. The human figure with the limbs extended, can be inclosed and bounded by the circle and square. The center of gravity and its change of situation were exemplified in rest and motion, running, striking, leaping, rising, and falling. The principles of motion were shewn in the skeleton, by the bending of the back bone, backward and forward—and the portions of circles described by the limbs, moving on their own axes. The proportions were illustrated from Vitruvius and Diodorus Siculus. The height of the human figure is eight heads; two heads across the shoulders; one head and a half across the hips; three noses, the thickest part of the thigh; two, the calf of the leg; one, the narrowest part of the shin, &c. The female figure narrower across the shoulders and wider across the hips than the male figure. Ancient Perspective laid down in Euclid's Book of Optics, teaches the points of sight and vanishing point, the visual rays, but no point of distance to determine the thickness of objects—and no structure of the human eye. The Professor displayed his usual elaborate research, and illustrated with Drawings his highly interesting Lecture.

COURT AND FASHIONABLES.

The Duchess of Brunswick expired on Tuesday night. Her Royal Highness had been subject to an asthmatic complaint for some years, which was increased by the epidemic disorder now prevalent, with which she was attacked about two days before, but no alarm was excited till the morning of Tuesday; about five o'clock her Royal Highness seemed better, but a spasm came upon the chest about eight, and she died at nine o'clock without pain.—The Princess of Wales visited her Royal Mother on Tuesday, and remained with her a considerable time. Dr. Baillie left the Duchess about six o'clock in the evening, and pronounced her much better. A little before nine she was seized with violent spasms, in consequence of which Dr. Baillie and Sir Henry Halford were sent for. The former did not arrive in time, but the latter came a few minutes before her Royal Highness expired. No directions or injunctions being found from the Duchess as to her funeral, orders were given from the Lord Chamberlain's Office to proceed in the same manner as for all other Royal Funerals.—All the public places were ordered to be shut.

At the Duchess of Brunswick's funeral, her son the Duke is to be the Chief Mourner. As her Royal Highness lived only privately in this country, and had no royal establishment, the funeral is to be considered so. It is to take place on Wednesday at Windsor.—The mourning is to be general. An order has been issued to that effect by the Earl Marshal of England.

On Friday, the Princess CHARLOTTE of WALES, having expressed a desire to visit her MOTHER, was so far indulged as to be allowed to dine with her Royal Highness at Blackheath. A Morning Paper adds, that "the Secret Isquiries which have been recently carried on, are at an end."—Mr. ADAM, we believe, could give some account of the disappointments which he and others met with in their criminatory pursuit.

PRINCESS OF WALES.

From a vast mass of nauseous matter, much too infamous to detail in our paper, the following is extracted. It is from "*The Book*," which the late pious Mr. PERCEVAL printed, and intended to publish to the world; but which he refrained from doing, as many believe, only because he found it would be to his interest to desist.—*Lady Douglas*, be it remembered, is the person who puts this matter forth,—and there can be but one opinion as to this wretched woman.—"Upon the 29th of March, I left Montague House, and the PRINCESS commanded me to be sent up to her bed-chamber. I went, and found her in bed, and I took Mrs. VANSITTART's note in my hand, announcing the news of peace. She desired me to sit down close to the bed, and then, taking my hand, she said—'You see, my dear friend, I have the most complaisant husband in the world—I have no one to controul me—I see whom I like, I go where I like, I spend what I please, and his ROYAL HIGHNESS pays for all—other English husbands plague their wives, but he never plagues me at all, which is certainly being very polite and complaisant, and I am better off than my sister, who was heartily beat every day. How much happier am I than the Duchess of YORK. She and the Duke hate each other, and yet they will be two hypocrites, and live together—that I would never do.—Now, I'll shew you a letter wherein the Prince of WALES gives me full leave to follow my own plans.' She then put the letter into my hands, the particulars of which I have mentioned. When I had finished, I appeared affected; and she said, 'You seem to think that a fine thing; now I see nothing in it; but I dare to say that when my beloved had finished it, he fancied it one of the finest pieces of penmanship in the world. I should have been the man, and he the woman. I am a real Brunswick, and do not know what the sensation fear is; but as to him, he lives in eternal warm water, and delights in it, if he can but have his slippers under an old Dowager's table, and sit there scribbling notes; that's his whole delight.' She then told me every circumstance relative to her marriage, and that she would be separated, and that she had invited the Chancellor very often lately, to try and accomplish it, but they were stupid, and told her it could not be done. It appeared to me that, at this time, her ROYAL HIGHNESS's mind was bent upon the accomplishment of this purpose; and it would be found, I think, from Lord ELDON and the others, that she pressed this subject close upon them, whenever they were at Montague House; for she told me more than once she had. Her ROYAL HIGHNESS, before she put the letter by, said, 'I always keep this, for it is ever necessary. I will go into the House of Lords with it myself. The Prince of WALES desires me in that letter to choose my own plan of life, and amuse myself as I like; and also when I lived in Carlton House, he often asked me why I did not select some particular Gentleman for my friend, and was surprized I did not.' She then added, 'I am not treated at all as a Princess of WALES ought to be. As to the friendship of the Duke of GLOUCESTER's family, I understand that Prince WILLIAM would like to marry either my daughter, or me, if he could. I now, therefore, am desirous of forming a society of my own choosing, and I beg you always to remember, all your life, that I shall always be happy to see you. I think you very discreet, and the best woman in the world, and I beg you to consider the Tower

always as your own: there are offices, and you might almost live there; and if Sir JOHN is ever called away, do not go home to your family; it is not pleasant after people have children; therefore always come to my Tower. I hope to see you there very soon again. The PRINCE has offered me sixty thousand if I will go and live at Hanover, but I never will; this is the only country in the world to live in.' She then kissed me, and I took my leave."

TO THE EDITOR OF THE EXAMINER.

SIR,—Although it is not necessary to the complete triumph of our much injured PRINCESS, and utter confusion of her PERSECUTORS and enemies, that any ADDITIONAL circumstances of their *injustice* and *infamy* should be recalled to the public mind, yet I have hoped, through the medium of your paper, that those persons, who, whilst acquitting her of criminality, have been so eager and *extreme* in their strictures on the *alleged* levities and improprieties of her conduct, so irreconcilable with THEIR rigid and chastened notions *of English correctness* or *severity*,—I say, I have hoped it might be asked of such *sober-minded* persons, who was the female *selected* to fill the post *most* immediately about the Princess's person on her arrival in this country? It would be natural to conclude the choice of the ILLUSTRIOUS persons *most nearly* concerned fell on one well qualified to give the stranger the best example of English MORALS and MANNERS. The female selected to go from hence to accompany our *future Queen* to this country, from whom she was to receive her first instructions of *English* SEVERITY of *morals and* MANNERS, and who remained with her till the separation, was no other than the Dowager Lady JERSEY!!!

Another question we have to propose is, whether we are to believe the deposition of Sir J. and Lady DOUGLAS (now agreed by all parties to contain the most base, perfidious calumnies and falsehoods that heart could conceive or tongue utter), to have been communicated to the Princess's illustrious Consort and *connections* before this late disclosure? and whether, supposing them aware of its blackness and infamy, we are to credit the possibility of Sir J. and Lady DOUGLAS having *since* appeared at Court; and that till within the *last fortnight* Sir JOHN has held a situation about the person of his Royal Highness the Duke of SUSSEX, and lived to THIS time in habits of friendship with him?

Can such things be? ! ! !

I am, Sir, your obedient servant and your constant reader,

March 25, 1813. W. B.

ACCIDENTS, OFFENCES, &c.

MOST DARING OUTRAGE.—On Sunday evening last, as the Rev. Mr. Wilcox was preaching at Ely Chapel, Holborn, a person named *W. Pond*, forced his way through the crowd into the Chapel with his hat on; he was requested to pull it off, when he exclaimed with an oath, that he would not;—He then gave a loud *hem*, which induced Mr. Wilcox to look round; and seeing this a fit opportunity of assulting that Clergyman, he first threw a book, which struck him in the face, and then two shoes. The uproar which ensued may be easily conceived. He was however secured and examined on Wednesday morning at Hatton Garden Office, when it appeared he was insane.—Strict orders were issued by the Magistrates, that he should be properly taken care of.—Apprehensions were entertained by the congregation for the safety of Mr. Wilcox, but he received no material injury, neither were any accidents heard of.

An inquisition was taken on Thursday, on the body of Mr. Thomas Mason, who hung himself at his lodgings in Piccadilly on Wednesday. The deceased was a relation to Mrs. Blakie, where he slept. He had walked out before breakfast, and on his return his manner was observed to be very singular. He asked for pen, ink, and paper, and wrote his address with some inconsistent remark. He was missing at the breakfast table, and on going into his bed-room, he was discovered hanging to the bedstead, quite dead.—Verdict, insanity.

William Howe, alias John Wood, alias Palmer, alias Hart, alias Fox, who was executed a few days since for the murder of Mr. Robins, near Stourbridge, is strongly suspected to be the murderer of Mr. William Joachim, of Pratt-place, Camden Town; who was barbarously murdered about ten o'clock on Wednesday night, June 1, 1808, as he was returning home across the fields, the watch found by Taunton, the Bow-street Officer, upon Howe, when he took him into custody, for the murder of Mr. Robins, proving to be Mr. Joachim's watch.

An awful catastrophe happened on the 12th of last month, in the Bay of Bruckless, County of Donegal. An unusual appearance of herrings (which for several years past had deserted these shores) had collected all the boats of the southern coast to the Bay. In the night, when the boats were deeply laden, a storm arose, the boats were unmanageable, the shore the most dangerous on the coast, in a moment all was confusion; and death spread his terrors around. Nearly sixty boats were wrecked; of some, or of their crews, not a vestige remained! The morning presented a most dismal spectacle of mangled corpses, torn nets, and wrecks of boats. Forty-two industrious fishermen, who had left their families the preceding evening, with the cheering prospect of returning with the means of a comfortable subsistence, were brought home corpses. The afflicting detail of the sufferings of individual families would far exceed the limits of a Newspaper: let one or two suffice: the writer of this article attended the funeral of a young man; his wife, far advanced in pregnancy, rode beside the coffin; she had left in her house the corpses of her father and brother, and, in the adjoining houses those of her brother-in-law, uncle, and two cousins-german. The lease of this farm, now the abode of six widows and twenty-four orphans, expired with the life of one of these sufferers. A man far advanced in years has lost his three sons, two of whom have left widows, and thirteen very young children. In fine, each individual family could furnish a tale of misery and distress. The total number of the widows of the sufferers amounts to thirty, of their children to one hundred and two. The Gentlemen in the neighbourhood have proposed a subscription for the suffering survivors.—*Dublin Evening Post.*

BIRTHS.

At Kegworth, Mrs. Moore, the Lady of Thomas Moore, Esq. of a daughter.

DEATHS.

On Friday, in the 13th year of her age, the Lady Augusta Maria Phipps, daughter of the Earl of Mulgrave.

On Friday morning, at his house at Clapton, John Remington Esq. aged 88.

On Monday last, in Sun-Street, Bishopsgate street, after a tedious and protracted illness, Mr. James Parnell, aged 44.

At Hazlebrook, Roscommon, Ireland, on the 13th instant, Mrs. Law, relict of Dr. Law, Bishop of Elphin, and sister to the late James Wallace, Esq. his Majesty's Attorney General.

Lately, at Donaghmore, Mary Meighan, at the very advanced age of 129 years. She had her perfect recollection and memory until the last two years. During the last 30 years of her life she lived in the greatest penury and distress, and would not afford herself any kind of natural support, relying for subsistence on the aid of a generous public: yet, after her decease, there were found buried under the place where she lay 1,600*l.* which her son-in-law now possesses.

Printed and published by JOHN HUNT, at the EXAMINER Office, 21, Maiden-Lane, Covent-Garden.—Price 9½*d.*